

# SENATE BILL No. 196

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 35-42-4-6.

**Synopsis:** Child solicitation. Increases the age of a victim of child solicitation from 14 to 16 years of age.

**Effective:** July 1, 2003.

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January 9, 2003, read first time and referred to Committee on Criminal, Civil and Public Policy.

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First Regular Session 113th General Assembly (2003)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2002 Regular or Special Session of the General Assembly.

## SENATE BILL No. 196

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

*Be it enacted by the General Assembly of the State of Indiana:*

- 1       SECTION 1. IC 35-42-4-6, AS AMENDED BY P.L.118-2002,  
2       SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3       JULY 1, 2003]: Sec. 6. (a) As used in this section, "solicit" means to  
4       command, authorize, urge, incite, request, or advise an individual:  
5               (1) in person;  
6               (2) by telephone;  
7               (3) in writing;  
8               (4) by using a computer network (as defined in IC 35-43-2-3(a));  
9               (5) by advertisement of any kind; or  
10              (6) by any other means;  
11       to perform an act described in subsection (b).  
12       (b) A person eighteen (18) years of age or older who knowingly or  
13       intentionally solicits a child under ~~fourteen (14)~~ **sixteen (16)** years of  
14       age, or an individual the person believes to be a child under ~~fourteen~~  
15       ~~(14)~~ **sixteen (16)** years of age, to engage in:  
16               (1) sexual intercourse;  
17               (2) deviate sexual conduct; or



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1 (3) any fondling or touching intended to arouse or satisfy the  
2 sexual desires of either the child or the older person;  
3 commits child solicitation, a Class D felony. However, the offense is  
4 a Class C felony if it is committed by using a computer network (as  
5 defined in IC 35-43-2-3(a)).

6 (c) In a prosecution under this section, including a prosecution for  
7 attempted solicitation, the state is not required to prove that the person  
8 solicited the child to engage in an act described in subsection (b) at  
9 some immediate time.

10 SECTION 2. [EFFECTIVE JULY 1, 2003] **IC 35-42-4-6, as**  
11 **amended by this act, applies to offenses committed after June 30,**  
12 **2003.**

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